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July 10, 2012

Via Electronic Case Filing

Hon. Magistrate David R. Homer
United States District Court
Northern District of New York
James T. Foley U.S. Courthouse
445 Broadway
Albany, NY 12207-2926

Re: Foley v. City of Troy, et al.
Civil Case No.: 11-cv-0724 (TJM/DRH)
Our File No.: 1309-TR27

Dear Judge Homer:

Relative to the above-referenced matter, our office represents defendants City of Troy, Christopher Pollay, Charles Castle, Joseph McNall, George Anderson and John Tedesco. As the Court is aware, plaintiff Foley commenced this action pursuant to 42 U.S.C. § 1983 seeking damages primarily as a result of alleged excessive force on the part of defendants. Plaintiff Foley's counsel has requested that defendants produce the personnel and disciplinary files for each involved officer.

In this regard and upon consent of all parties to this action, we respectfully request that the Court conduct an *in camera* review of each involved officer's personnel and disciplinary file to determine the extent to which the records are discoverable and to

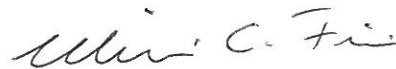
Hon. Magistrate David R. Homer
July 10, 2012
Page 2

determine the extent to which they are immune from disclosure pursuant to Civil Rights Law § 50-a.

If the Court agrees to conduct the requested *in camera* review, it is defendants' intention to have a representative of the City of Troy Police Department deliver the files in question directly to Your Honor's chambers. Following the Court's review, we respectfully request that the Court notify our office and we will arrange for retrieval of the files.

Thank you for your cooperation and courtesy in this matter.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "William C. Firth".

William C. Firth
Bar Roll No.: 513832

WCF/mls

cc: Via Electronic Case Filing
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